

# Religious Norms vs Constitutional Supremacy: A Socio-Constitutional Review in Muslim-Majority Countries

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## Abstract

The tension between religious norms and constitutional supremacy is a persistent issue in state administration practices in Muslim-majority countries. These two sources of legitimacy often coexist in the legal system, creating a space for interaction that is not always harmonious. This situation is influenced by social, political, and institutional factors that shape the ongoing direction of legal regulation. This study aims to analyze the configuration of the relationship between religious norms and constitutional supremacy and its implications for state governance and public life. This research uses a qualitative approach utilizing secondary data obtained from various relevant sources, including previous studies and legal documents. The results show that the relationship between religious norms and the constitution is formed through diverse patterns and is influenced by the role of state institutions and socio-political pressures. This interaction impacts the consistency of legal application, the protection of citizens' rights, and the balance between diversity and unity of law. The state's ability to manage this relationship proportionally is a crucial factor in maintaining social stability and government legitimacy.

*Keywords:* Religious Norms, Constitutional Supremacy, Muslim-Majority Countries, State Governance, Law and Society.

## A. INTRODUCTION

The relationship between religious norms and the state constitution in many Muslim-majority countries continues to be a never-ending tug-of-war. In state practice, both exist not merely as stand-alone sources of legitimacy, but as two references that both claim authority in regulating public life (Faude & Große-Kreul, 2020). While the constitution is designed as the supreme law binding all citizens, at the same time, religious norms persist as guidelines with strong social binding power, often even surpassing the effectiveness of formal law. This situation creates a space filled with tension, especially when the two provide different directions on legal issues or public policy (Koskenniemi, 2019).

The experience of various countries shows that religious norms are never truly outside the state's legal system. They exist in various forms, from symbolic recognition in the constitution, integration into legislation, to direct implementation through specific judicial institutions. This existence demonstrates that the relationship between religion and the state is not a black-and-white one, but rather exists across a broad spectrum with varying characteristics in each country (Sajir, 2023). In some cases, religious norms serve as a source of inspiration in the formation of national law, while in others, they serve as the primary reference that explicitly directs the content of the

constitution itself. This variation shows that no single pattern can explain how Muslim-majority countries manage relations between the two (Khabrieva, 2020).

Growing social pressures within society have strengthened the position of religious norms in the public sphere. The aspirations of community groups seeking to strengthen the role of religion in national life often lead to the creation of policies that accommodate these values. In certain situations, these demands arise in response to dissatisfaction with a legal system perceived as too secular or not reflecting the collective identity of the community (Atalay, 2019). On the other hand, some groups see the importance of maintaining a distance between religious norms and the constitution to ensure the protection of diversity and individual rights. This tug-of-war of interests creates a complex socio-political landscape and often influences the direction of legal development at the national level (Modood & Sealy, 2021).

The role of state institutions is crucial in managing these tensions. Courts, particularly those with constitutional authority, are often faced with cases that require the interpretation of the relationship between religious norms and the Constitution. The resulting decisions not only impact the resolution of specific cases but also establish precedents that influence the direction of future legal development (Spieker, 2020). In many cases, judges face not only the legal text but also the social, political, and even moral pressures that accompany the case. This makes the constitutional enforcement process not entirely free from external influences, so the outcome often reflects a compromise between competing interests (Casey & Kenny, 2022).

Domestic political conditions also play a significant role in determining the extent to which religious norms gain space within a country's legal system. Shifts in political power are often accompanied by changes in policy orientation, impacting the position of religion in the constitution and legislation. Governments that enjoy the support of religious groups tend to be more open to the integration of religious norms, while governments oriented toward pluralism often seek to strengthen the supremacy of the constitution as a common umbrella for all citizens. These shifts often create legal uncertainty, especially when changes are implemented rapidly without a broad societal consensus.

In a global context, this issue is also inextricably linked to international developments that emphasize the importance of protecting human rights and democratic principles. Muslim-majority countries find themselves in the challenging position of balancing internal demands that strengthen the role of religion with external pressures that encourage the implementation of international legal standards (Mende, 2021). This tension often arises on sensitive issues such as religious freedom, women's rights, and the protection of minority groups. Efforts to navigate these diverse interests demonstrate that the relationship between religious norms and the constitution is not merely a domestic issue but also part of a broader global conversation (Schnabel et al., 2022).

Realities on the ground demonstrate that conflicts between religious norms and the constitution do not always manifest as open opposition. In many situations, the two interact subtly through legislative processes, legal interpretations, and daily

administrative practices. These tensions often hide behind seemingly neutral legal language, yet have significant implications for people's lives. This makes these issues difficult to recognize, even though their impact is clearly felt by various groups in society (Voigt, 2021).

The heterogeneity in managing this relationship across countries demonstrates the ongoing scope for experimentation. Some countries seek to find common ground through a compromise approach that accommodates both sources of legitimacy, while others tend to emphasize one over the other. These choices are influenced not only by legal factors but also by the history, culture, and social structures that have developed in each country. Therefore, understanding this issue cannot be separated from its surrounding context (Gray & Cointet, 2023).

Based on this reality, this research aims to examine in more depth the relationship between religious norms and constitutional supremacy, which cannot be understood solely as a formal legal issue. The focus of this study includes efforts to uncover how struggles involving aspects of identity, distribution of power, and the direction of state development are reflected in constitutional practices in Muslim-majority countries. This research also aims to examine how the tensions that arise are not limited to the level of legal formulation but extend to the processes of interpretation, acceptance, and implementation in everyday social life. Through this approach, it is hoped that this research can provide a more comprehensive picture of how Muslim-majority countries face and manage the challenges of maintaining a balance between religious values and constitutional principles.

## **B. LITERATURE REVIEW**

### **1. Religiosity**

According to Drikarya, the word "religion" comes from the Latin "religio," which is derived from religere, meaning to bind. It refers to an obligation or set of rules that must be followed, all of which serve to bind and strengthen an individual or group of people in relation to God, fellow human beings, and the surrounding environment (Hambali et al., 2022).

Meanwhile, according to Evi and Muhammad Farid, religiosity is the internalization of religious values within an individual. Internalization here is identified with faith in religious teachings, both internally and in discourse. Meanwhile, Zakiah Daradjat argues that religiosity is the organization of belief systems, mentalities, and ceremonies that connect people to a single presence or to something religious. This belief is then acknowledged in daily activities and behavior (Susilawati et al., 2022).

Religiosity is seen as a person's commitment, identified with religion and belief, as reflected in their behavior during religious ceremonies and beliefs. These ideas attempt to view people's religiosity not only from a single dimension, but also from all existing dimensions. Religiosity in Islam is not only demonstrated through ceremonial worship but also through various activities. As a comprehensive

framework, Islam also encourages its adherents to embrace religion holistically (Mohd Dali et al., 2019).

Glock and Stark state that religiosity is the level of devotion to one's religion and the level of commitment to it. The level of devotion refers to a person's belief in their religion, while the level of commitment refers to knowledge that must be understood and practiced. Therefore, there are various ways for someone to become religious (Dollahite et al., 2019).

## **2. Supremacy of the Constitution**

Constitutional supremacy is a fundamental principle in a democratic state governed by the rule of law, where the constitution serves as the supreme norm binding all state institutions, public policies, and government actions. According to Asshiddiqie, the constitution serves not only as a legal document but also embodies the nation's fundamental values, such as justice, democracy, and the protection of human rights (Zhou, 2019). This principle requires that all legal products, including laws, be subject to the constitution and must not conflict with it. In the Indonesian context, the 1945 Constitution affirms Indonesia as a state based on the rule of law (Article 1 paragraph 3); therefore, every legislative policy must ensure its alignment with the constitution (Pech, 2022).

The constitution is the highest source of law in the Indonesian constitutional system. The constitution, in this case the 1945 Constitution of the Republic of Indonesia (UUD 1945), is not merely a legal document but also serves as the primary foundation that regulates and directs all aspects of national and state life. In constitutional law theory, constitutional supremacy means that all laws, policies, and government actions must be subject to and must not conflict with the constitution. This principle affirms that the constitution holds a higher status than other laws and regulations, thus serving as the primary benchmark for assessing the validity of every legal product produced by the legislative and executive branches (Chandranegara & Cahyawati, 2023).

In practice, constitutional supremacy guarantees the protection of human rights, limits state power, and upholds the principles of democracy and the rule of law (*rechtsstaat*). The constitution also serves as a regulatory instrument to prevent the arbitrary exercise of state power and to ensure checks and balances among state institutions. Therefore, constitutional supremacy is not merely a normative slogan but must be concretely realized in every process of drafting and implementing legislation (Kamran & Putri, 2023).

## **C. METHOD**

This research is designed using a qualitative approach aimed at deeply examining the relationship between religious norms and constitutional supremacy in the context of a Muslim-majority country. This approach was chosen because it is able to capture the complexity of the issue, which is not only related to formal legal aspects but also encompasses the social, political, and constitutional dimensions that develop

in society. The research focus is not limited to how the law is formulated, but also on how it is understood, accepted, and implemented in everyday life, thus enabling a more complete picture of the struggles involving identity, the distribution of power, and the direction of state development. Research data will be obtained from various sources relevant to the study topic, primarily through a search of previous research results, legal documents, and various studies related to constitutional practices in Muslim-majority countries. All collected data will then be processed through a qualitative analysis process, emphasizing the interpretation and grouping of emerging findings. This process is carried out systematically to identify patterns of the relationship between religious norms and constitutional supremacy, so that this research can ultimately produce findings that can comprehensively explain how these two elements interact in constitutional practice (Kusumastuti & Khoiron, 2019).

#### **D. RESULT AND DISCUSSION**

##### **1. Configuration of the Relationship between Religious Norms and the Constitution in State Administration Practice**

The configuration of the relationship between religious norms and the constitution in state practice demonstrates a form of interconnectedness that is neither singular nor linear, but rather formed through a multi-layered and mutually influencing process. In many national legal systems in Muslim-majority countries, religious norms are not placed entirely outside the constitutional framework, but rather exist in various forms that demonstrate specific ties, both explicit and implicit. This interconnectedness is evident in how religious values are absorbed into the fundamental principles of the state, influence the direction of legal formation, and are considered in the law enforcement process. This relationship does not always reflect harmony, as in practice, tensions often arise when religious norms and the constitution provide different directions on the same issue. In such situations, the relationship between the two cannot be understood as one subordinating one to the other, but rather as a continuous interaction that evolves according to the evolving social and political context.

This interconnectedness is also evident in the way religious norms are present in the national legal structure, both through formal recognition in the constitutional text and through their influence in subordinate legislation. In some countries, the constitution contains direct references to specific religions, symbolically and substantively strengthening the position of religious norms in the legal system (Golia & Teubner, 2021). The presence of these references not only has declarative significance but also has implications for how the law is interpreted and applied in practice. At a more operational level, religious norms can appear in the form of sectoral regulations governing specific areas, thus demonstrating how these values are translated into more concrete rules. This pattern demonstrates that the relationship between religious norms and the constitution extends beyond principles to more detailed legal structures.

The placement of religious norms within the legal structure also exhibits variations that reflect the legal policy choices of each country. In some configurations, religious norms are placed in a position that exerts a direct influence on the formation of laws, thus becoming a primary reference in the legislative process. In other configurations, these norms are placed in a more limited manner, with a scope focused on specific aspects deemed relevant to social life. These differences demonstrate that there is no standard pattern for determining the position of religious norms within the legal structure, but rather depend on considerations involving historical, social, and political factors. This placement also has implications for the extent to which religious norms can influence the overall direction of legal policy.

The direction of state policy in responding to the demands of public religiosity is a factor that contributes to shaping the configuration of this relationship. Demands emerging from society often encourage the state to provide greater space for religious norms within the legal system, especially when these demands gain strong political legitimacy. The state's response to these demands is not always uniform, as it is influenced by various interacting interests. In some situations, the state chooses to accommodate these demands by establishing regulations that reflect religious values, while in others, the state tends to adopt a more cautious stance to maintain a balance between various interests. These policy choices not only reflect the orientation of the government in power but also demonstrate how the state seeks to maintain social stability in the face of growing pressures within society.

The relationship between state policy and public religious demands also demonstrates a reciprocal, mutually influencing relationship. State policies can strengthen the position of religious norms in the public sphere, which in turn encourages the emergence of new, broader demands. Conversely, restrictions on the role of religious norms in the legal system can spark resistance from certain groups who feel their aspirations are not being accommodated. This relationship creates a constantly evolving situation, where the position of religious norms in the legal system is never truly stable but is constantly adapting to evolving conditions.

The varying practices of integration or separation in legal regulation further demonstrate the complexity of the relationship between religious norms and the constitution. In some countries, integration is achieved more comprehensively, making religious norms an integral part of the national legal system. In other practices, separation is achieved by placing religious norms in a more limited space, so that they do not directly influence the entire legal system. These two approaches do not always produce the same consequences, as each has implications for how the law is implemented and accepted by society. The choice between integration and separation often reflects the state's efforts to balance various existing interests, including the need to maintain social cohesion and political legitimacy.

This variation in relationships can also be understood through the classification of models of the relationship between God and religion in the constitution, which demonstrates the differences in how states place the religious dimension within their basic legal framework. These models represent a broad spectrum, ranging from

symbolic recognition to more substantive engagement, each with different implications for state practice. In this context, the existence of these models provides insight into how states construct relationships between religious values and their constitutional structures.

**Table 1. Model of the Relationship between God and Religion in the Constitution**

No	Country	There is the word 'God' or something similar in the Constitution	Regulating guarantees of freedom of religion or belief	Religious rules influence the principles of state administration
1	Mexico	No	Yes	Yes
2	France	No	Yes	No
3	Bhutan	Yes	Yes	Yes
4	Malaysia	Yes	Yes	Yes
5	Lebanon	Yes	Yes	Yes
6	Norway	Yes	Yes	Yes
7	Indonesia	Yes	Yes	Yes

This diversity of configurations demonstrates that the relationship between religious norms and the constitution cannot be reduced to a single, universal pattern. Each country develops its own approach based on its surrounding context, resulting in varying practices in managing this relationship. These differences not only reflect variations in legal systems but also demonstrate how states respond to the challenges arising from the interaction between religious values and the demands of modern statecraft. Across these practices, it is evident that the relationship between religious norms and the constitution continues to adapt, in line with changes occurring in society and the political systems that govern them.

## 2. The Role of State Institutions in Negotiating Normative Tensions

The role of state institutions in negotiating the normative tension between religious norms and constitutional supremacy demonstrates a position that is not merely administrative, but also political and interpretive. The judiciary, legislative, and executive institutions not only carry out their formal functions as stipulated in the constitution, but also directly confront demands from various societal groups with differing interests, values, and orientations (Khaitan, 2019). In this situation, state institutions become the arena where these diverse interests are brought together, negotiated, and ultimately translated into decisions or policies with legal consequences. This role is inseparable from the constitutional structure that places these institutions in a relationship of mutual checks and balances, as affirmed by the principle of the division of powers that underpins the modern constitutional system.

To clarify the different roles and common ground between state institutions in addressing the tension between religious norms and constitutional supremacy, a mapping that can demonstrate the characteristics of each institution comparatively is necessary. The following table summarizes how the judiciary, legislative, and

executive institutions carry out different functions, approaches, and forms of engagement in responding to normative conflicts, while also demonstrating their respective contributions to maintaining balance within the constitutional system.

**Table 2. Comparison of the Roles of State Institutions in Negotiating Normative Tensions**

<b>Analysis Aspects</b>	<b>Judicial Institution</b>	<b>Legislative Institution</b>	<b>Executive Institution</b>
Position in the State System	Guardian of the Constitution and final interpreter of the law	Regulatory makers and legal policy formulators	Policy implementers and government managers
Forms of Involvement in Normative Conflicts	To hear and decide cases involving conflicts between religious norms and the Constitution	Formulate laws that accommodate or limit religious norms	Implementing policies related to religious norms in administrative practices
Approach Used	Interpretive and often compromising	Negotiative and based on political interests and public aspirations	Pragmatic concerning stability and legitimacy
Influence of External Factors	Influenced by social expectations and values that exist in society	Influenced by political pressure, public opinion, and group interests	Influenced by the need for political stability and social acceptance
Role in Maintaining Balance	Balancing constitutional consistency and social sensitivity	Determining the direction of the relationship between religious norms and law through legislation	Maintaining stability by accommodating or limiting the influence of norms
Form of Decision/Policy	Court decisions and legal interpretation	Legislative Institution	Administrative policies and government programs

The judiciary plays a crucial role when conflicts between religious norms and the constitution reach the adjudication stage. In many cases, judges are faced not only with normative legal texts but also with social expectations that religious values should be considered in their decisions. The judiciary's attitudes and tendencies in dealing with such situations often reflect an effort to maintain a balance between legal consistency and sensitivity to prevailing societal values. Court decisions in this context often demonstrate a broad scope for interpretation, with judges interpreting

the constitution in light of the underlying social context. This demonstrates that the judicial process is not entirely free from external influences, although independence remains a fundamental foundation of law enforcement.

This tendency also relates to the judiciary's role as guardian of the constitution, which must ensure that any applicable norms do not conflict with the fundamental principles of the state. In carrying out this function, the courts often find themselves in a difficult position, particularly when religious norms enjoy strong social support while simultaneously being obligated to maintain constitutional consistency. These tensions are not always resolved through a firm approach, but often through compromising interpretations that attempt to accommodate various interests without disregarding the existing legal framework. Such practices demonstrate that the judiciary functions not only as an interpreter of the law but also as a mediator in normative conflicts involving various dimensions of social life.

The role of the legislature in this context is equally crucial, particularly in the process of formulating regulations related to religious values. The legislative process is often the starting point where religious norms enter the formal legal system, either through direct influence or through political pressure from specific societal groups. During the deliberations on draft laws, various interests converge and interact, resulting in legal products that reflect a compromise between diverse aspirations. Legislators consider not only formal legal aspects but also the social and political impacts of each resulting policy. This makes the legislative process a space rife with negotiation, where the position of religious norms can be strengthened or limited depending on the existing power configuration.

The process of formulating laws involving religious values also demonstrates that law is not born in a neutral space. The interaction between political interests, public pressure, and ideological considerations shapes the direction of the resulting regulations. In some situations, legislation is used as a means to respond to the growing demands of public religiosity, thus gaining religious norms formal legitimacy within the legal system. In other situations, legislation is used to limit the scope of application of religious norms to maintain consistency with broader constitutional principles. These choices reflect how the legislative body plays a key role in determining the direction of the relationship between religious norms and the constitution.

The executive's role in managing these normative tensions is evident in its role in implementing policies and maintaining government stability. The executive is directly confronted with social realities, so every policy adopted must consider its impact on society at large. When addressing demands related to religious norms, the executive often adopts a pragmatic approach, considering political stability and the sustainability of government. The resulting policies may reflect efforts to accommodate specific demands, but may also demonstrate limitations aimed at maintaining a balance between various interests.

This executive role is inseparable from the need to maintain legitimacy in the eyes of the public. Responses to religious demands are often part of a broader political

strategy, where policies are assessed not only from a legal perspective but also from public acceptance. Under certain circumstances, the executive may strengthen the position of religious norms through specific administrative policies and programs, while in others, the executive may choose to assert existing boundaries to maintain consistency with the constitution. These choices demonstrate that the executive's role is not static but continually adapts to changes in the social and political environment.

The legal interpretation process that occurs within various state institutions demonstrates a conflict of interests that is not always explicitly apparent. The interpretation of legal norms depends not only on the written text but also on the context in which it is interpreted. Factors such as political pressure, public opinion, and moral considerations often influence how a norm is understood and applied. In this context, the law becomes open to various possible interpretations, each of which carries different implications for the position of religious norms within the constitutional system.

The involvement of various state institutions in this process demonstrates that resolving normative tensions is never the sole responsibility of one institution. Relationships built through mechanisms of mutual checks and balances are crucial to ensure that no single interest overpowers. This principle is part of efforts to maintain legal and constitutional stability, while ensuring that the decision-making process remains within accountable boundaries. In practice, cooperation and interaction between state institutions are crucial factors in successfully managing emerging conflicts.

### **3. The Influence of Social and Political Factors on the Direction of Legal Regulation**

Legal arrangements in Muslim-majority countries are inextricably linked to the influence of social and political factors that continually shape policy direction. Religious norms exist not only as a reference point for values but also as aspirations championed by various groups with vested interests. Pressure from these groups often plays a role in encouraging the state to provide greater space for religious values within the legal system. This push does not always manifest itself in the form of formal demands, but also through the mobilization of public opinion, the strengthening of discourse in social spaces, and involvement in the political process. The intensity of this pressure is greatly influenced by the level of group consolidation and their ability to build legitimacy within the wider community.

The presence of community groups actively advocating for the strengthening of religious norms demonstrates that law does not develop in a sterile space from social influence. The aspirations of these groups are often rooted in the belief that state law should reflect values considered part of the collective identity (Gele et al., 2020). In such situations, social pressure serves not only as a form of expression of interests but also as a mechanism driving change in the direction of legal arrangements. The state, as an institution that has the authority to formulate and establish laws, cannot completely ignore this pressure, especially when it has broad support from society.

The role of collective identity is a factor that strengthens the influence of social pressure on legal policy. This identity is not only related to religious aspects but also encompasses historical experiences, cultural values, and perceptions of society's position within the state structure. When collective identity is strongly articulated, it can form the basis for demands that religious norms receive a more significant place in the legal system. In many cases, this identity is used as an argument to assert that applicable legal regulations should not be separated from values considered part of a society's identity. This makes collective identity a factor that substantively influences the direction of legal policy.

The influence of this collective identity does not always result in uniformity in societal views. Differences in understanding and interpreting religious values can give rise to varied demands placed on the state. Some groups may push for the strengthening of religious norms in various aspects of life, while others emphasize the importance of maintaining space for diversity and protecting individual rights. The tension between these views demonstrates that collective identity is not monolithic, but rather consists of multiple, interacting layers. In this context, the state is faced with the challenge of formulating legal policies that are able to accommodate these differences without ignoring the principles that underlie the constitution.

Changes in political power structures also significantly impact the position of religious norms in legal regulation. Changes in government are often accompanied by shifts in policy orientation, reflecting the political preferences of the ruling actors. When power rests with groups closely aligned with religious aspirations, the resulting policies tend to provide greater space for religious norms. Conversely, when power shifts to groups that emphasize pluralism or a more inclusive approach, the position of religious norms in the legal system can be restricted. These changes demonstrate that the direction of legal regulation is determined not only by the constitutional framework but also by the prevailing configuration of political power.

The impact of these power shifts is not only evident at the policy level but also in the legislative and legal implementation processes. Legislation produced during a single government period can be revised or reinterpreted when a change in power occurs. This creates a situation where the position of religious norms in the legal system is not entirely stable, as it is always open to change as political actors change. This instability can impact legal certainty, particularly when changes are made without due consideration of the long-term impacts on the state system.

The interaction between political interests and social aspirations in lawmaking demonstrates that the legislative process is a highly negotiated arena. Political interests do not always align with societal aspirations, although in many cases the two influence each other. Political actors often exploit religious issues as part of a strategy to gain public support, thus making religious norms part of a broader political agenda. In such situations, legal formation not only reflects regulatory needs but also becomes a tool to achieve specific political goals.

Social aspirations developing within society can strengthen or even change the direction of existing political interests. When societal demands receive widespread

attention, political actors tend to respond through policies deemed capable of meeting those expectations. This response is not always substantive, as in some cases it reflects more of an effort to maintain political legitimacy than a commitment to profound change. Nevertheless, the interaction between social aspirations and political interests remains a determining factor in legal formation, as the two mutually shape and influence each other.

#### **4. Implications for State Governance and Community Life**

The implications of the relationship between religious norms and constitutional supremacy for state governance are not only evident at the level of policy formulation, but also in the consistency of legal application in state practice. When these two sources of legitimacy coexist without clear boundaries, there is the potential for differences in how the law is understood and implemented by law enforcement officials and other state institutions. This situation can create variations in the application of rules that should be uniform, especially when there is room for interpretation that allows religious norms to influence decisions. Such inconsistencies are not always explicitly apparent but can be identified through differences in rulings, administrative policies, or legal practices across regions within a country.

This diversity in legal application has consequences for the level of legal certainty perceived by the public. When the same rule can be applied differently depending on the interpretation used, there is uncertainty regarding the standards that should serve as a common reference. This situation not only impacts the effectiveness of the legal system but also affects public trust in state institutions. In the long term, inconsistency can weaken the position of the law as an instrument capable of providing equitable protection and justice. This becomes even more complex when religious norms have a strong position in society, so that any effort to assert legal consistency must take into account sensitivity to the values believed by the public.

The impact on the protection of citizens' rights is one of the most significant aspects in this context. The interaction between religious norms and the constitution can produce different configurations of rights protection, depending on how they are interpreted and implemented. In some situations, religious norms can strengthen the protection of certain values deemed important by society (Doss & Meitzen-Dick, 2020). However, in other situations, the application of these norms can lead to restrictions on individual rights, particularly when there are differences in the beliefs or identities held by citizens. This situation places the state in a position where it must balance respect for religious values with the obligation to protect the rights of every individual without discrimination.

This tension in rights protection often manifests itself indirectly, but has a real impact on people's lives. Policies or regulations influenced by religious norms can create certain limitations in social spaces, ultimately affecting access to various rights, whether in the social, economic, or political spheres. These impacts are not always felt evenly, as certain groups may be more vulnerable than others. In situations like this,

the role of the state is crucial in ensuring that rights protection is not only formally enforced but also practically accessible to all citizens.

The challenge of maintaining a balance between diversity and legal unity becomes increasingly complex when religious norms have a significant influence on the legal system. The state is faced with the need to accommodate the diversity that exists within society, including differences in beliefs, religious practices, and views on the law. At the same time, there is a demand to maintain legal unity as a basis for stability and certainty in state administration. Efforts to achieve this balance do not always yield simple solutions, as each choice has the potential to have consequences for certain groups.

An imbalance in managing diversity can give rise to perceptions of injustice that have the potential to deepen differences within society. When one group feels its values are being accommodated more than those of another, tensions arise that can escalate into broader conflict. In this context, legal unity is not only related to uniform regulations but also to the state's ability to create a sense of justice that is acceptable to all citizens. This requires an approach that is not only legal and formal, but also sensitive to existing social conditions.

The consequences for social stability are an important indicator in assessing how the relationship between religious norms and the constitution is managed. When a balance between the two can be maintained, social stability tends to be maintained because people feel that the legal system reflects their values and provides fair protection. Conversely, when tensions are not managed effectively, the potential for dissatisfaction arises, which can trigger instability. This dissatisfaction does not always manifest itself in open conflict, but can develop gradually through a decline in trust in state institutions and increased polarization in society.

The legitimacy of government is greatly influenced by how the state manages the relationship between religious norms and the supremacy of the constitution. Policies deemed to reflect public aspirations while upholding constitutional principles tend to garner broader support. Conversely, policies perceived to ignore any of these aspects can generate criticism and resistance. This legitimacy is determined not only by policy outcomes but also by processes involving transparency, participation, and accountability. In this context, the government's ability to explain and account for each policy it adopts is a crucial factor.

## **E. CONCLUSION**

The relationship between religious norms and constitutional supremacy in Muslim-majority countries cannot be understood as a simple or static one. The interconnectedness of the two is shaped by diverse configurations, influenced by legal structures, the role of state institutions, and evolving social and political pressures. Religious norms are not only present as living values in society but also find space within the legal system through various formal and informal mechanisms. In practice, this relationship results in patterns of interaction that are not always harmonious, giving rise to tensions that must be continuously managed by state institutions. The role of state institutions is crucial in navigating these tensions, whether through

legislative processes, law enforcement, or policy implementation. At the same time, the influence of social and political factors demonstrates that the direction of legal regulation is never entirely neutral, but rather is influenced by societal aspirations, collective identities, and ongoing power configurations. The interaction between these various factors shapes the character of legal systems in each country, while also demonstrating that the management of the relationship between religious norms and the constitution is always in a process of adapting to changing contexts. The implications of this entire process are evident in state governance and social life, particularly in terms of consistent legal application, protection of citizens' rights, and social stability and government legitimacy. When a balance between religious norms and constitutional principles is maintained, the legal system has the opportunity to function effectively and earn public trust. Conversely, an imbalance has the potential to create legal uncertainty, social tension, and diminish the legitimacy of state institutions. Therefore, the state's ability to manage this relationship proportionally is a key factor in maintaining a stable and inclusive constitutional system.

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